

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of : Thomas BREITBACH  
International Application No. : PCT/DE03/01998  
Filing Date : December 14, 2004  
U.S. Serial No. : 10/518,116  
For : **CONTENT AND SECURITY PROXY IN A  
MOBILE COMMUNICATIONS SYSTEM**

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Date:

July 22, 2005

Signature:

Linda M. Shudy (Reg. No. 47,084)

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed on May 25, 2005), please be advised that the Applicant already submitted a fully executed Declaration on May 13, 2005, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. Enclosed herewith is a copy of the submission and the Notification of Missing Requirements.

No fee is believed due at this time. However, the Commissioner is hereby authorized to charge any fee and/or credit any overpayment required by this paper or during the pendency of this application to Kenyon & Kenyon Deposit Account No. 11-0600. An additional copy of this letter is enclosed for this purpose.

Respectfully submitted,  
KENYON & KENYON

By: *[Signature]*  
Reg. No. 47084

*[Signature]*  
Richard L. Mayer  
Reg. No. 22,490

Date:

July 22, 2005

One Broadway  
New York, NY 10004  
Tel: (212) 425-7200  
Fax: (212) 425-5288  
Customer No. 26646





## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.

10/518,116

FIRST NAMED APPLICANT

Thomas Breitbach

ATTY. DOCKET NO.

2345/208

INTERNATIONAL APPLICATION NO.

PCT/DE03/01998

I.A. FILING DATE

06/13/2003

PRIORITY DATE

06/14/2002

26646  
 KENYON & KENYON  
 ONE BROADWAY  
 NEW YORK, NY 10004

CONFIRMATION NO. 3278

371 FORMALITIES LETTER



\*OC000000016104270\*

Date Mailed: 05/25/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/14/2004
- English Translation of the IA filed on 12/14/2004
- Copy of the International Search Report filed on 12/14/2004
- Copy of IPE Report filed on 12/14/2004
- Preliminary Amendments filed on 12/14/2004
- Information Disclosure Statements filed on 12/14/2004
- Oath or Declaration filed on 12/14/2004
- Request for Immediate Examination filed on 12/14/2004
- U.S. Basic National Fees filed on 12/14/2004
- Substitute Specification filed on 12/14/2004
- Priority Documents filed on 12/14/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/518,116	PCT/DE03/01998	2345/208

FORM PCT/DO/EO/905 (371 Formalities Notice)



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EL803486263US

Case No. 23451208  
Ser. No. 101518116

Atty. LMS  
Date 5/13/05

The Impressed Mail Room date stamp acknowledges receipt of the date indicated of: Transmittal of Missing Requirements

- |  |  |
|--|--|
| <input type="checkbox"/> Application         | <input type="checkbox"/> Extension Request                   |
| <input type="checkbox"/> Amendment           | <input type="checkbox"/> Priority Document                   |
| <input type="checkbox"/> Assignment          | <input type="checkbox"/> Issue Fee                           |
| <input type="checkbox"/> Notice of Appeal    | <input checked="" type="checkbox"/> Declaration of Invention |
| <input type="checkbox"/> Prior Art Statement | <input type="checkbox"/> Small Entity                        |
| <input type="checkbox"/> Appeal Brief        | <input checked="" type="checkbox"/> <u>App cost \$110400</u> |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Thomas BREITBACH  
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 Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: May 13, 2005

Signature: *Linda M. Shudy*  
 Linda M. Shudy (Reg. No. 47,084)

**TRANSMITTAL OF MISSING REQUIREMENTS  
 UNDER 35 U.S.C. 371**

S I R :

Applicant submits herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application.

**A Notice To File Missing Requirements has not been received by the Applicants in the above-referenced application.**

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.16(e) surcharge fee of **\$130.00** to Kenyon & Kenyon deposit account number **11-0600**.

The Office is also hereby authorized to charge Kenyon & Kenyon Deposit Account No. **11-0600** with any additional fees required by this paper or credit any overpayment. An additional copy of this letter is enclosed for this purpose.

Respectfully submitted,

By: *Linda M. Shudy*  
 Reg. No. 47084

Date: May 13, 2005

By: *Richard L. Mayer*  
 Richard L. Mayer, Reg. No. 22,490

**KENYON & KENYON**  
 One Broadway  
 New York, New York 10004  
 Tel: (212) 425-7200  
 Fax: (212) 425-5288  
**CUSTOMER NO. 26646**

EL-803886263US

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **CONTENT AND SECURITY PROXY IN A MOBILE COMMUNICATIONS SYSTEM**, the specification of which was filed as International Application No. PCT/DE03/01998 on June 13, 2003, and filed as U.S. application on December 14, 2004 having U.S. Serial No. 10/518,116 for Letters Patent in the U.S.P.T.O.;

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)**

Number Filed	Country	Day/Month/Year	Priority Claimed Under 35 USC 119
102 26 744.8	Fed. Rep. of Germany	June 14, 2002	Yes

And I hereby appoint Richard L. Mayer (Reg. No. 22,490), Gerard A. Messina (Reg. No. 35,952) and Linda M. Shudy (Reg. No. 47,084) my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications regarding this application to:

KENYON & KENYON  
One Broadway  
New York, New York 10004

**CUSTOMER NO. 26646**

Please direct all telephone calls to Richard L. Mayer at (212) 425-7200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful and false statements may jeopardize the validity of the application or any patent issued thereon.



Inventor: **Thomas BREITBACH**

Inventor's Signature: \_\_\_\_\_

*Thomas Breitbach*

Date: \_\_\_\_\_

*28/04/05*

Residence: Kolpingstrasse 23a  
D-56645 Nickenich  
Federal Republic of Germany

Citizenship: German

Office Address: Same as above.